

6881. Adulteration and misbranding of maple sirup base. U. S. * * * v. Dr. Ward's Medical Co., a corporation. Plea of guilty. Fine, \$15.
(F. & D. No. 9362. I. S. No. 12642-p.)

On May 20, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dr. Ward's Medical Co., a corporation, Winona, Minn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 6, 1917, from the State of Minnesota into the State of Wisconsin, of a quantity of an article, labeled in part "Ward's Maple Syrup Base * * * Prepared by Dr. Ward's Medical Co., Winona, Minn.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was essentially a hydroalcoholic solution of fenugreek and vanillin, colored with caramel.

Adulteration of the article was alleged in the information for the reason that an imitation maple flavor had been substituted in whole or in part for maple sirup base, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Maple Syrup Base Recipe for One Gallon Syrup Granulated sugar 7 lbs. Hot water 4 pts. Maple Base (two tablespoons) 1 oz. Dissolve sugar thoroughly in hot water, then add Maple Base while stirring," borne on the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was maple sirup or maple sirup flavor, which, when used as directed, would impart a maple sirup flavor to a sirup made from granulated sugar and water, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a maple sirup or maple sirup flavor, which, when used as directed, would impart a maple sirup flavor to a sirup made from granulated sugar and water, whereas, in truth and in fact, it was not a maple sirup or maple sirup flavor, but was an imitation maple sirup or maple sirup flavor which would impart only an imitation maple sirup flavor to a sirup made of granulated sugar and water.

On May 20, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6882. Adulteration of tomato sauce. U. S. * * * v. 830 Cases of Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9363. I. S. No. 14876-r. S. No. E-1123.)

On September 24, 1918, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 830 cases, each containing 72 cans of tomato sauce, consigned by Pasquale Bisceglia, San Jose, Cal., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about August 20, 1918, and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Crati Brand Tomato Sauce, Bisceglia Bros., San Jose, Cal."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On November 15, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*